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From: Jennifer Pilcher Legal Assistant to Wayne Bailey	No. of Pages Including Cover Sheet: 38
Message: Enclosed herewith: <ul style="list-style-type: none">• Transmittal Document;• Response to Notification of Non-Compliant Appeal Brief; and• Copy of Notification of Non-Compliant Appeal Brief.	
Re: Application No. 09/731,998 Attorney Docket No: AUS9-2000-0546-US1	
Date: Tuesday, April 26, 2005	
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Beukema et al.**

Serial No.: 09/731,998

Filed: December 7, 2000

For: Transferring Foreign Protocols Across a System Area Network

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Group Art Unit: 2112

Examiner: Huynh, Kim T.

Attorney Docket No.: AUS9-2000-0546-US1

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i By:

Jennifer Pilcher

TRANSMITTAL DOCUMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir,

ENCLOSED HEREWTH:

- Response to Notification of Non-Compliant Appeal Brief; and
- Copy of Notification of Non-Compliant Appeal Brief.

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

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APR 26 2005

Docket No. AUS9-2000-0546-US1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Beukema et al.**

Serial No. **09/731,998**

Filed: **December 7, 2000**

For: **Transferring Foreign Protocols**
Across a System Area Network

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Group Art Unit: 2112

Examiner: Huynh, Kim T.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Transmission Under 37 C.F.R. § 1.8(a)

I hereby certify this correspondence is being transmitted via facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, facsimile number (703) 872-9306 on April 26, 2005.

By:

Jennifer Pilcher
Jennifer Pilcher

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF
(37 C.F.R. 41.37)

This brief is in furtherance of the Notice of Appeal, filed in this case on October 27, 2004, and in addition is a complete new brief which is being filed in response to the Notification of Non-Compliant Appeal Brief dated April 5, 2005.

The fees required under § 41.20(B)(2), and any required petition for extension of time for filing this brief and fees therefore, are dealt with in the accompanying TRANSMITTAL OF APPEAL BRIEF.

(Appeal Brief Page 1 of 34)
Beukema et al. - 09/731,998

REAL PARTY IN INTEREST

The real party in interest in this appeal is the following party: International Business Machines Corporation.

RELATED APPEALS AND INTERFERENCES

With respect to other appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in the pending appeal, there are no such appeals or interferences.

STATUS OF CLAIMS

A. TOTAL NUMBER OF CLAIMS IN APPLICATION

Claims in the application are: 1-69

B. STATUS OF ALL THE CLAIMS IN APPLICATION

1. Claims canceled: none
2. Claims withdrawn from consideration but not canceled: none
3. Claims pending: 1-69
4. Claims allowed: none
5. Claims rejected: 1-69

C. CLAIMS ON APPEAL

The claims on appeal are: 1-69

STATUS OF AMENDMENTS

No amendment after final was filed for this case.

SUMMARY OF CLAIMED SUBJECT MATTER

A. CLAIM 1 - INDEPENDENT

Claim 1 is directed to a method for processing foreign protocol requests across a system area network, the foreign protocol being a protocol different from and thus foreign to the protocol used by the system area network itself. A request is received from a device using such foreign protocol, and this request is encapsulated in a data packet formatted for the system area network protocol. The data packet is sent to a requested node using the system area network fabric, as described at Specification page 12, lines 1- 8 and page 12, lines 21-25 and shown in a preferred embodiment by the process flow of Figure 8.

B. CLAIM 18 – INDEPENDENT

Claim 18 is directed to a method for processing foreign protocol requests across a system area network, the foreign protocol being a protocol different from and thus foreign to the protocol used by the system area network itself. A data packet formatted for a protocol used by the system area network is received from a system area network fabric. A determination is then made that the data packet contains an encapsulated foreign protocol transmission, and the data packet is decoded to obtain the foreign protocol transmission. The foreign protocol transmission is send to a requested device, thus providing a method for processing such foreign protocol requests across a system area network, as described at Specification page 12, lines 8-13 and page 12, lines 26 – 28.

C. CLAIM 24 - INDEPENDENT

Claim 24 is directed to a computer program product in a computer readable media for use in a networked data processing system for processing foreign protocol requests across a system area network, the foreign protocol being a protocol different from and thus foreign to the protocol used by the system area network itself. The computer program product includes instructions for receiving a request from a device using such foreign protocol, and instructions for encapsulating the request in a data packet formatted for the system area network protocol. The computer program product also includes instructions for sending the data packet to a requested node using

the system area network fabric, as described at Specification page 12, lines 1- 8 and page 12, lines 21-25 and shown in a preferred embodiment by the process flow of Figure 8.

D. CLAIM 41 – INDEPENDENT

Claim 41 is directed to a computer program product in a computer readable media for use in a data processing system for processing foreign protocol requests across a system area network, the foreign protocol being a protocol different from and thus foreign to the protocol used by the system area network itself. The computer program product includes instructions for receiving a data packet from a system area network fabric, where the data packet is formatted for a protocol used by the system area network. The computer program product also includes instructions for determining that the data packet contains an encapsulated foreign protocol transmission, and instructions for decoding the data packet to obtain the foreign protocol transmission. The computer program product also includes instructions for sending the foreign protocol transmission to a requested device, as described at Specification page 12, lines 8-13 and page 12, lines 26 – 28.

E. CLAIM 47 – INDEPENDENT AND MEANS-PLUS-FUNCTION

E.1 Claim 47 is directed to system for processing foreign protocol requests across a system area network, the foreign protocol being a protocol different from and thus foreign to the protocol used by the system area network itself. The system includes means for receiving a request from a device using such foreign protocol, and means for encapsulating the request in a data packet formatted for the system area network protocol. The system also includes means for sending the data packet to a requested node using the system area network fabric, as described at Specification page 12, lines 1- 8 and page 12, lines 21-25 and shown in a preferred embodiment by the process flow of Figure 8.

E.2 Claim 47 includes means for elements (first means, second means and third means), each of which, in the preferred embodiment, is performed by a channel adapter element (Specification page 10, lines 3-10; page 11, lines 27-28), such as any the of the HCA elements depicted in Figure 1 (elements 118, 120, 122, or 124) and described at Specification page 12, lines 21-25 and

page 26, lines 10-15, or any of the TCA elements such as TCA element 186 depicted in Figure 1 and described at Specification page 11, line 29 – page 12, line 8.

F. CLAIM 48 – MEANS-PLUS-FUNCTION

Claim 48 includes means for elements (fourth means, fifth means and sixth means), each of which, in the preferred embodiment, is performed by a channel adapter element (Specification page 10, lines 3-10; page 11, lines 27-28), such as any the of the HCA elements depicted in Figure 1 (elements 118, 120, 122, or 124 and shown in further detail in Figure 3) and described at Specification page 12, lines 21-25 and page 15, line 29 – page 16, line 12.

G. CLAIM 49 – MEANS-PLUS-FUNCTION

Claim 49 includes means for elements (fourth means, fifth means and sixth means), each of which, in the preferred embodiment, is performed by a channel adapter element (Specification page 10, lines 3-10; page 11, lines 27-28), such as any the of the HCA elements depicted in Figure 1 (elements 118, 120, 122, or 124 and shown in further detail in Figure 3) and described at Specification page 12, lines 21-25 and Specification page 15, line 29 – page 16, line 12.

H. CLAIM 50 – MEANS-PLUS-FUNCTION

Claim 50 includes means for elements (fourth means and fifth means), each of which, in the preferred embodiment, is performed by a channel adapter element (Specification page 10, lines 3-10; page 11, lines 27-28), such as any the of the HCA elements depicted in Figure 1 (elements 118, 120, 122, or 124 and shown in further detail in Figure 3) and described at Specification page 12, lines 8-12 and page 26, line 25 – page 28, line 3.

I. CLAIM 51 – MEANS-PLUS-FUNCTION

Claim 51 includes means for elements first means, second means and third means, each of which, in the preferred embodiment, is performed by any of the TCA elements such as TCA element 186 depicted in Figure 1 and described at Specification page 11, line 29 – page 12, line 8 and page 26, line 25 – page 28, line 3.

Claim 51 also includes means for elements fourth means, fifth means, sixth means, seventh means and eighth means, each of which, in the preferred embodiment, is performed by a channel adapter element (Specification page 10, lines 3-10; page 11, lines 27-28), such as any the of the HCA elements depicted in Figure 1 (elements 118, 120, 122, or 124 and shown in further detail in Figure 3) and described at Specification page 12, lines 8-12 and page 26, line 25 – page 28, line 3.

J. CLAIM 52 – MEANS-PLUS-FUNCTION

Claim 52 includes means for elements (ninth means and tenth means), each of which, in the preferred embodiment, is performed by any of the TCA elements such as TCA element 186 depicted in Figure 1 and described at Specification page 11, line 29 – page 12, line 8 and page 26, line 25 – page 28, line 3.

K. CLAIM 54 – MEANS-PLUS-FUNCTION

Claim 54 includes means for elements (fourth means, fifth means and sixth means), each of which, in the preferred embodiment, is performed by a channel adapter element (Specification page 10, lines 3-10; page 11, lines 27-28), such as any the of the HCA elements depicted in Figure 1 (elements 118, 120, 122, or 124 and shown in further detail in Figure 3) and described at Specification page 12, lines 8-12.

L. CLAIM 64 – INDEPENDENT AND MEANS-PLUS-FUNCTION

L.1 Claim 64 is directed to system for processing foreign protocol requests across a system area network, the foreign protocol being a protocol different from and thus foreign to the protocol used by the system area network itself. The system includes means for receiving a data packet from a system area network fabric, where the data packet is formatted for a protocol used by the system area network. The system also includes means for determining that the data packet contains an encapsulated foreign protocol transmission, and means for decoding the data packet to obtain the foreign protocol transmission. The system also includes means for sending the foreign protocol transmission to a requested device, as described at Specification page 12, lines 8-13 and page 12, lines 26 – 28.

L.2 Claim 64 includes means for elements (first means, second means, third means and fourth means), each of which, in the preferred embodiment, is performed by a channel adapter element (Specification page 10, lines 3-10), such as any the of the HCA elements depicted in Figure 1 (elements 118, 120, 122, or 124) and described at Specification page 12, lines 8-12, page 32, lines 21-30 and page 33, lines 14-23.

GROUND OF REJECTION TO BE REVIEWED ON APPEAL**A. GROUND OF REJECTION 1 (Claims 1-6, 8-18, 20-29, 31-41, 43-52, 54-64 and 66-69)**

Claims 1-6, 8-18, 20-29, 31-41, 43-52, 54-64 and 66-69 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Watson, Jr. (Pub. No. US20020026517).

B. GROUND OF REJECTION 2 (Claims 7, 30, 53, 29, 42 and 65)

Claims 7, 30, 53, 29, 42 and 65 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Watson, Jr. (Pub. No. US20020026517) in view of Kokkonen (Pub. No. US20040057424), and further in view of James et al. (US Patent 6,108,739).

ARGUMENT

A. GROUND OF REJECTION 1 (Claims 1-6, 8-18, 20-29, 31-41, 43-52, 54-64 and 66-69)

A.1. Claims 1-6, 8-18, 20-29, 31-41, 43-52, 54-64 and 66-69

Appellants urge that the filing date (June 29, 2001) of the cited Watson reference does not predate the filing date (December 7, 2000) of the present application, and thus the cited Watson reference is not a valid reference for use in a 35 USC 102(e) rejection. Per MPEP 706.02(V):

V. DETERMINING THE EFFECTIVE FILING DATE OF THE APPLICATION

The effective filing date of a U.S. application may be determined as follows:

(A) If the application is a continuation or divisional of one or more earlier U.S. applications or international applications and if the requirements of 35 U.S.C. 120 and 365(c), respectively, have been satisfied, the effective filing date is the same as the earliest filing date in the line of continuation or divisional applications.

(B) If the application is a continuation-in-part of an earlier U.S. application or international application, any claims in the new application not supported by the specification and claims of the parent application have an effective filing date equal to the filing date of the new application. Any claims which are fully supported under 35 U.S.C. 112 by the earlier parent application have the effective filing date of that earlier parent application.

(C) If the application claims foreign priority under 35 U.S.C. 119(a)-(d) or 365(a), the effective filing date is the filing date of the U.S. application, unless situation (A) or (B) as set forth above applies. The filing date of the foreign priority document is not the effective filing date, although the filing date of the foreign priority document may be used to overcome certain references. See MPEP § 706.02(b) and § 2136.05.

(D) If the application properly claims benefit under 35 U.S.C. 119(e) to a provisional application, the effective filing date is the filing date of the provisional application for any claims which are fully supported under the first paragraph of 35 U.S.C. 112 by the provisional application. (emphasis added by Appellants)

In addition, per MPEP 706.02(f)(1):

706.02(f)(1) Examination Guidelines for Applying References Under 35 U.S.C. 102(e) [R-2]

I. DETERMINE THE APPROPRIATE 35 U.S.C. 102(e) DATE FOR EACH POTENTIAL REFERENCE BY FOLLOWING THE GUIDELINES, EXAMPLES, AND FLOW CHARTS SET FORTH BELOW:

(A) The potential reference must be a U.S. patent, a U.S. application publication (35 U.S.C. 122(b)) or a WIPO publication of an international application under PCT Article 21(2) in order to apply the reference under 35 U.S.C. 102(e).

(B) Determine if the potential reference resulted from, or claimed the benefit of, an international application. If the reference does, go to step (C) below. The 35 U.S.C. 102(e) date of a reference that did not result from, nor claimed the benefit of, an international application is its earliest effective U.S. filing date, taking into consideration any proper benefit claims to prior U.S. applications under 35 U.S.C. 119(e) or 120 **if the prior application(s) properly supports the subject matter used to make the rejection in compliance with 35 U.S.C. 112, first paragraph.** See MPEP § 2136.02. (emphasis added by Appellants)

In addition, per MPEP 2136.03:

MPEP 2136.03

III. PRIORITY FROM PROVISIONAL APPLICATION UNDER 35 U.S.C. 119(e)

The 35 U.S.C. 102(e) critical reference date of a U.S. patent or U.S. application publications and certain international application publications entitled to the benefit of the filing date of a provisional application under 35 U.S.C. 119(e) is the filing date of the provisional application with certain exceptions **if the provisional application(s) properly supports the subject matter relied upon to make the rejection in compliance with 35 U.S.C. 112, first paragraph.** See MPEP § 706.02(f)(1), examples 5 to 9. Note that international applications which (1) were filed prior to November 29, 2000, or (2) did not designate the U.S., or (3) were not published in English under PCT Article 21(2) by WIPO, may not be used to reach back (bridge) to an earlier filing date through a priority or benefit claim for prior art purposes under 35 U.S.C. 102(e). (emphasis added by Appellants)

Because of the conditional nature of being able to use the filing date of the provisional application ("if the provisional application(s) properly supports the subject matter relied upon ..."), the use of the provisional filing date is not automatic, but instead is only available to be used if the condition is expressly met. In the present rejection, this condition (35 USC 112, 1st paragraph enablement) that is explicitly required in order to use the filing date of the provisional application has not been properly established by the Examiner.

Thus, to the extent the Examiner is relying on the provisional application filing date of June 30, 2000 in making the 35 USC 102(e) rejection, the Examiner has failed to establish that such provisional application is fully supported under the first paragraph of 35 U.S.C. 112 (with respect to the subject matter of the US20026517 reference that is being used in rejecting the claimed subject matter), and thus the Examiner has not met their burden in order to use the date of such provisional application¹. As this establishment of 35 U.S.C. 112, 1st paragraph enablement of the provisional application has not been met, the Examiner can only use the filing date of the non-provisional application, which is June 29, 2001. Since this non-provisional patent application filing date does not predate the filing date of the present application - which is December 7, 2000 - the 35 USC 102(e) rejection using such non-provisional application is shown to be in error. Thus, Claims 1-6, 8-18, 20-29, 31-41, 43-52, 54-64 and 66-69 have been erroneously rejected.

B. GROUND OF REJECTION 2 (Claims 7, 30, 53, 29, 42 and 65)

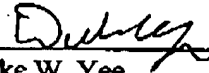
B.1. Claims 7, 30, 53, 29, 42 and 65

As the same non-provisional patent application to Watson is being used in the rejection of Claims 7, 30, 53, 29, 42 and 65, this claim rejection is shown to be in error for the reasons given above regarding GROUND OF REJECTION 1.

¹ The burden must necessarily fall upon the Examiner for such enablement establishment, as this provisional application has not been made 'of record' by the Examiner in the present case - either by inclusion on a form PTO-892 or by providing a copy of the provisional application to Appellants - and thus Appellants are unable to ascertain for themselves whether this enablement requirement has been met.

CONCLUSION

In summary, the Examiner has not met their burden of establishing that the provisional patent application properly supports the subject matter relied upon in making the 35 USC 102(e) rejection, and thus has failed to comply with the requirements specified in MPEP 706.02(f)(1), MPEP 2136.02 and 2136.03 and 35 USC 112, first paragraph in order to use the filing date of the provisional patent application. Further, the filing date of the non-provisional patent application being used to reject all claims of the present application does not predate the filing date of the present application. Appellants thus urge that the rejection of all claims be reversed.



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CLAIMS APPENDIX

The text of the claims involved in the appeal are:

1. A method for processing foreign protocol requests across a system area network, the method comprising:

receiving a request from a device utilizing a protocol which is foreign to a protocol utilized by the system area network;

encapsulating the request in a data packet formatted for the protocol utilized by the system area network; and

sending the data packet to a requested node via the system area network fabric.

2. The method as recited in claim 1, wherein the request is a first request, the data packet is a first data packet, and the sending the data packet comprises sending the data packet on a first virtual lane, and further comprising:

receiving a second request from a device utilizing a protocol which is foreign to the protocol utilized by the system area network;

encapsulating the second request in a second data packet formatted for the protocol utilized by the system area network; and

responsive to a determination that the first and second requests are to be kept in order, sending the second data packet to a requested node via the first virtual lane on the system area network fabric.

3. The method as recited in claim 1, wherein the request is a first request, the data packet is a first data packet, and the sending the data packet comprises sending the data packet on a first virtual lane, and further comprising:

receiving a second request from a device utilizing a protocol which is foreign to the protocol utilized by the system area network;

encapsulating the second request in a second data packet formatted for the protocol utilized by the system area network; and

responsive to a determination that the first and second requests should be able to bypass the other, sending the second data packet to a requested node via a second virtual lane on the system area network fabric.

4. The method as recited in claim 1, wherein the request is an interrupt received by a target channel adapter and further comprising:

receiving the data packet, at a host channel adapter, and decoding the data packet to retrieve the interrupt; and

interrupting the processor.

5. A method for processing foreign protocol requests across a system area network, the method comprising:

receiving a request from a device utilizing a protocol which is foreign to a protocol utilized by the system area network, wherein the request is an interrupt received by a target channel adapter;

encapsulating the request in a first data packet;

sending the first data packet to a requested node via the system area network fabric;
receiving the data packet, at a host channel adapter, and decoding the data packet to

retrieve the interrupt;

interrupting the processor;

receiving, at the host channel adapter, an end of interrupt instruction;

encapsulating the end of interrupt instruction into a second data packet; and

transmitting the second data packet to the target channel adapter via the system area
network fabric.

6. The method as recited in claim 5, further comprising:

receiving the second data packet;

decoding the second data packet to determine that the interrupt is complete.

7. The method as recited in claim 1, wherein the foreign protocol is a peripheral component
interconnect bus protocol.

8. The method as recited in claim 1, further comprising:

receiving, at the requested node, the data packet;

decoding the data packet to obtain the foreign protocol request; and

transmitting the foreign protocol request to an appropriate device.

9. The method as recited in claim 1, wherein the steps of receiving a request, encapsulating
the request, and sending the data packet are performed by a host channel adapter.

10. The method as recited in claim 1, wherein the requested node is a target channel adapter.

11. The method as recited in claim 8, wherein the steps of receiving, at the requested node, the data packet, decoding the data packet, and transmitting the foreign protocol request are performed by a target channel adapter.

12. The method as recited in claim 8, wherein the steps of receiving, at the requested node, the data packet, decoding the data packet, and transmitting the foreign protocol request are performed by a host channel adapter.

13. The method as recited in claim 8, wherein the step of transmitting the foreign protocol request comprises converting the request to an appropriate host transaction.

14. The method as recited in claim 1, wherein the steps of receiving a request, encapsulating the request, and sending the data packet are performed by a target channel adapter.

15. The method as recited in claim 1, wherein the requested node is a host channel adapter.

16. The method as recited in claim 1, wherein the step of encapsulating the foreign protocol request comprises placing the request into a data packet with appropriate headers and trailers in the data packet to ensure that the data packet is delivered across the system area network fabric to the requested node.

17. The method as recited in claim 8, wherein the step of decoding the data packet comprises determining that the data packet contains a foreign protocol request and removing the foreign protocol request from the data packet.

18. A method for processing foreign protocol requests across a system area network, the method comprising:

receiving a data packet from a system area network fabric, wherein the data packet is formatted for a protocol used by the system area network;

determining that the data packet contains an encapsulated foreign protocol transmission;

decoding the data packet to obtain the foreign protocol transmission; and

sending the foreign protocol transmission to a requested device.

19. The method as recited in claim 18, wherein the foreign protocol is a peripheral component interconnect bus protocol.

20. The method as recited in claim 18, wherein the requested device is an input/output adapter.

21. The method as recited in claim 18, wherein the steps of receiving, determining, decoding, and sending are performed by a target channel adapter.

22. The method as recited in claim 18, wherein the steps of receiving, determining, decoding, and sending are performed by a host channel adapter.

23. The method as recited in claim 22, wherein the step of sending comprises converting the foreign protocol request to an appropriate host transaction.

24. A computer program product in a computer readable media for use in a networked data processing system for processing foreign protocol requests across a system area network, the computer program product comprising:

first instructions for receiving a request from a device utilizing a protocol which is foreign to a protocol utilized by the system area network;

second instructions for encapsulating the request in a data packet formatted for the protocol utilized by the system area network; and

third instructions for sending the data packet to a requested node via the system area network fabric.

25. The computer program product as recited in claim 24, wherein the request is a first request, the data packet is a first data packet, and the sending the data packet comprises sending the data packet on a first virtual lane, and further comprising:

fourth instructions for receiving a second request from a device utilizing a protocol which is foreign to the protocol utilized by the system area network;

fifth instructions for encapsulating the second request in a second data packet formatted for the protocol utilized by the system area network; and

sixth instructions, responsive to a determination that the first and second requests are to be kept in order, for sending the second data packet to a requested node via the first virtual lane on the system area network fabric.

26. The computer program product as recited in claim 24, wherein the request is a first request, the data packet is a first data packet, and the sending the data packet comprises sending the data packet on a first virtual lane, and further comprising:

fourth instructions for receiving a second request from a device utilizing a protocol which is foreign to the protocol utilized by the system area network;

fifth instructions for encapsulating the second request in a second data packet formatted for the protocol utilized by the system area network; and

sixth instructions, responsive to a determination that the first and second requests should be able to bypass the other, for sending the second data packet to a requested node via a second virtual lane on the system area network fabric.

27. The computer program product as recited in claim 24, wherein the request is an interrupt received by a target channel adapter and further comprising:

fourth instructions for receiving the data packet, at a host channel adapter, and decoding the data packet to retrieve the interrupt; and

fifth instructions for interrupting the processor.

28. A computer program product in a computer readable media for use in a networked data processing system for processing foreign protocol requests across a system area network, the computer program product comprising:

first instructions for receiving a request from a device utilizing a protocol which is foreign to a protocol utilized by the system area network, wherein the request is an interrupt received by a target channel adapter;

second instructions for encapsulating the request in a first data packet;

third instructions for sending the first data packet to a requested node via the system area network fabric;

fourth instructions for receiving the data packet, at a host channel adapter, and decoding the data packet to retrieve the interrupt;

fifth instructions for interrupting the processor;

sixth instructions for receiving, at the host channel adapter, an end of interrupt instruction;

seventh instructions for encapsulating the end of interrupt instruction into a second data packet; and

eighth instructions for transmitting the second data packet to the target channel adapter via the system area network fabric.

29. The computer program product as recited in claim 28, further comprising:

ninth instructions for receiving the second data packet;

tenth instructions for decoding the second data packet to determine that the interrupt is complete.

30. The computer program product as recited in claim 24, wherein the foreign protocol is a peripheral component interconnect bus protocol.

31. The computer program product as recited in claim 24, further comprising:

fourth instructions for receiving, at the requested node, the data packet;

fifth instructions for decoding the data packet to obtain the foreign protocol request; and sixth instructions for transmitting the foreign protocol request to an appropriate device.

32. The computer program product as recited in claim 24, wherein the steps of receiving a request, encapsulating the request, and sending the data packet are performed by a host channel adapter.

33. The computer program product as recited in claim 24, wherein the requested node is a target channel adapter.

34. The computer program product as recited in claim 31, wherein the instructions for receiving, at the requested node, the data packet, decoding the data packet, and transmitting the foreign protocol request are performed by a target channel adapter.

35. The computer program product as recited in claim 31, wherein the instructions for receiving, at the requested node, the data packet, decoding the data packet, and transmitting the foreign protocol request are performed by a host channel adapter.

36. The computer program product as recited in claim 31, wherein the instructions for transmitting the foreign protocol request comprises converting the request to an appropriate host transaction.

37. The computer program product as recited in claim 24, wherein the instructions for receiving a request, encapsulating the request, and sending the data packet are performed by a target channel adapter.

38. The computer program product as recited in claim 24, wherein the requested node is a host channel adapter.

39. The computer program product as recited in claim 24, wherein the instructions for encapsulating the foreign protocol request comprises placing the request into a data packet with appropriate headers and trailers in the data packet to ensure that the data packet is delivered across the system area network fabric to the requested node.

40. The computer program product as recited in claim 31, wherein the instructions for decoding the data packet comprises determining that the data packet contains a foreign protocol request and removing the foreign protocol request from the data packet.

41. A computer program product in a computer readable media for use in a data processing system for processing foreign protocol requests across a system area network, the computer program product comprising:

first instructions for receiving a data packet from a system area network fabric, wherein the data packet is formatted for a protocol used by the system area network;

second instructions for determining that the data packet contains an encapsulated foreign protocol transmission;

third instructions for decoding the data packet to obtain the foreign protocol transmission;
and

fourth instructions for sending the foreign protocol transmission to a requested device.

42. The computer program product as recited in claim 41, wherein the foreign protocol is a peripheral component interconnect bus protocol.

43. The computer program product as recited in claim 41, wherein the requested device is an input/output adapter.

44. The computer program product as recited in claim 41, wherein the instructions for receiving, determining, decoding, and sending are performed by a target channel

45. The computer program product as recited in claim 41, wherein the instructions for receiving, determining, decoding, and sending are performed by a host channel adapter.

46. The computer program product as recited in claim 45, wherein the instructions for sending comprises converting the foreign protocol request to an appropriate host transaction.

47. A system for processing foreign protocol requests across a system area network, the system comprising:

first means for receiving a request from a device utilizing a protocol which is foreign to a protocol utilized by the system area network;

second means for encapsulating the request in a data packet formatted for the protocol utilized by the system area network; and

third means for sending the data packet to a requested node via the system area network fabric.

48. The system as recited in claim 47, wherein the request is a first request, the data packet is a first data packet, and the sending the data packet comprises sending the data packet on a first virtual lane, and further comprising:

fourth means for receiving a second request from a device utilizing a protocol which is foreign to the protocol utilized by the system area network;

fifth means for encapsulating the second request in a second data packet formatted for the protocol utilized by the system area network; and

sixth means, responsive to a determination that the first and second requests are to be kept in order, for sending the second data packet to a requested node via the first virtual lane on the system area network fabric.

49. The system as recited in claim 47, wherein the request is a first request, the data packet is a first data packet, and the sending the data packet comprises sending the data packet on a first virtual lane, and further comprising:

fourth means for receiving a second request from a device utilizing a protocol which is foreign to the protocol utilized by the system area network;

fifth means for encapsulating the second request in a second data packet formatted for the protocol utilized by the system area network; and

sixth means, responsive to a determination that the first and second requests should be able to bypass the other, for sending the second data packet to a requested node via a second virtual lane on the system area network fabric.

50. The system as recited in claim 47, wherein the request is an interrupt received by a target channel adapter and further comprising:

fourth means for receiving the data packet, at a host channel adapter, and decoding the data packet to retrieve the interrupt; and

fifth means for interrupting the processor.

51. A system for processing foreign protocol requests across a system area network, the system comprising:

first means for receiving a request from a device utilizing a protocol which is foreign to a protocol utilized by the system area network, wherein the request is an interrupt received by a target channel adapter;

second means for encapsulating the request in a first data packet;

third means for sending the first data packet to a requested node via the system area network fabric;

fourth means for receiving the data packet, at a host channel adapter, and decoding the data packet to retrieve the interrupt;

fifth means for interrupting the processor;

sixth means for receiving, at the host channel adapter, an end of interrupt instruction;

seventh means for encapsulating the end of interrupt instruction into a second data packet; and

eighth means for transmitting the second data packet to the target channel adapter via the system area network fabric.

52. The system as recited in claim 51, further comprising:

ninth means for receiving the second data packet;

tenth means for decoding the second data packet to determine that the interrupt is complete.

53. The system as recited in claim 47, wherein the foreign protocol is a peripheral component interconnect bus protocol.

54. The system as recited in claim 47, further comprising:

fourth means for receiving, at the requested node, the data packet;

fifth means for decoding the data packet to obtain the foreign protocol request; and

sixth means for transmitting the foreign protocol request to an appropriate device.

55. The system as recited in claim 47, wherein the steps of receiving a request, encapsulating the request, and sending the data packet are performed by a host channel adapter.

56. The system as recited in claim 47, wherein the requested node is a target channel adapter.

57. The system as recited in claim 54, wherein the means for receiving, at the requested node, the data packet, decoding the data packet, and transmitting the foreign protocol request are performed by a target channel adapter.

58. The system as recited in claim 54, wherein the means for receiving, at the requested node, the data packet, decoding the data packet, and transmitting the foreign protocol request are performed by a host channel adapter.

59. The system as recited in claim 54, wherein the means for transmitting the foreign protocol request comprises converting the request to an appropriate host transaction.

60. The system as recited in claim 47, wherein the means for receiving a request, encapsulating the request, and sending the data packet are performed by a target channel adapter.

61. The system as recited in claim 47, wherein the requested node is a host channel adapter.

62. The system as recited in claim 47, wherein the means for encapsulating the foreign protocol request comprises placing the request into a data packet with appropriate headers and trailers in the data packet to ensure that the data packet is delivered across the system area network fabric to the requested node.

63. The system as recited in claim 54, wherein the means for decoding the data packet comprises determining that the data packet contains a foreign protocol request and removing the foreign protocol request from the data packet.

64. A system for processing foreign protocol requests across a system area network, the system comprising:

first means for receiving a data packet from a system area network fabric, wherein the data packet is formatted for a protocol used by the system area network;

second means for determining that the data packet contains an encapsulated foreign protocol transmission;

third means for decoding the data packet to obtain the foreign protocol transmission; and

fourth means for sending the foreign protocol transmission to a requested device.

65. The system as recited in claim 64, wherein the foreign protocol is a peripheral component interconnect bus protocol.

66. The system as recited in claim 64, wherein the requested device is an input/output adapter.

67. The system as recited in claim 64, wherein the means for receiving, determining, decoding, and sending are performed by a target channel adapter.

68. The system as recited in claim 64, wherein the means for receiving, determining, decoding, and sending are performed by a host channel adapter.

69. The system as recited in claim 68, wherein the means for sending comprises converting the foreign protocol request to an appropriate host transaction.
adapter.

EVIDENCE APPENDIX

There is no evidence to be presented.

RELATED PROCEEDINGS APPENDIX

There are no related proceedings.



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Please find below and/or attached an Office communication concerning this application or proceeding.

Notification of Non-Compliant Appeal Brief (37 CFR 41.37)	Application No. 09/731,998	Applicant(s) BEUKEMA ET AL.	
	Examiner Kim T. Huynh	Art Unit 2112	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 05 January 2005 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file a complete new brief in compliance with 37 CFR 41.37 within **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed or confirmed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4. ☒ (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
5. ☐ The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
6. ☐ The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8. ☐ The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner and relied upon by appellant in the appeal, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
9. ☐ The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
10. ☒ Other (including any explanation in support of the above items):

Claims 47-52, 54, 64 are means and function claims. Each meant for element must be separate mapped to the corresponding specification and figure elements.



TIM VO
PRIMARY EXAMINER